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Ex-F.B.I. Agent On Trial Today; Soviet Emigré Lover Due to Testify

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LOS ANGELES, Aug. 5 — Opening statements are scheduled for Tuesday in the trial of a former Federal Bureau of Investigation agent who is charged with conspiring with a Russian couple to pass American counterespionage secrets to the Soviet Union.

Richard W. Miller, the former agent who was a 20-year veteran of the bureau, is the first F.B.I. agent ever charged with espionage. He was arrested by bureau agents last Oct. 2.

After weeks of investigation by the bureau, Mr. Miller, 48 years old, was accused of plotting with two members of the Los Angeles Soviet émigré community, Svetlana and Nikolay Ogorodnikov, to pass secret documents of the Federal Bureau of Investigation to the Soviet intelligence service, the K.G.B.

The Ogorodnikovs pleaded guilty to espionage in a plea bargain in June, after two months of their trial. The Government brought Mr. Miller to the stand as a hostile witness at that trial. He testified extensively that Mrs. Ogorodnikov had approached him about spying for the Soviet Union and that he had embarked on a plan to use the couple to infiltrate the K.G.B. Mr. Miller testified under a grant of immunity from Federal District Judge David V. Kenyon that the testimony could not be used against him later. Judge Kenyon is also presiding over the Miller trial.

The Ogorodnikovs are expected to testify against Mr. Miller and this has added to the interest in his trial.

Life in Prison Possible

Mrs. Ogorodnikov was given an 18-year prison sentence under her plea-bargain and Mr. Ogorodnikov eight years, avoiding the possibility of life imprisonment on conviction.

The Miller case will be the first prosecuted personally by Robert C. Bonner since he became United States Attorney in Los Angeles a year and a half ago. Mr. Bonner sat in court to hear Mr. Miller's testimony at the Ogorodnikovs' trial last spring and seemed barely able to conceal his eagerness to put his own questions.

Moreover, a trial of the 48-year-old Mr. Miller could shed light on a fascinating aspect of an unusual spy case: how in face of a dismal performance record Mr. Miller not only retained his F.B.I. job in Los Angeles but even was assigned to its counterespionage unit, a sensitive assignment in the prime territory that Southern California's military contractors and technology

companies offer foreign spies.

Mr. Miller has denied that he was spying. He contended in court documents filed last winter that he was a pawn in a move by the F.B.I. agent in charge in Los Angeles, Richard T. Bretzing, to quash complaints that the Los Angeles office displayed favoritism toward agents who were Mormons. Mr. Miller and Mr. Bretzing are both Mormons, as was Mr. Miller's superior in the counterespionage unit, Bryce P. Christensen.

Says He Was Persecuted

According to Mr. Miller, at first he was a beneficiary of religious favoritism, but was later made the goat and persecuted by his bosses to prove that they were impartial.

The bureau has denied charges favoritism, and Mr. Miller did not raise the issue in the Ogorodnikovs' trial.

According to his testimony, Mr. Miller had been reprimanded several times in recent years and once was suspended without pay. By the spring of 1984, he was rated "minimally acceptable" as an agent.

He said he began his relationship with Mrs. Ogorodnikov last May after she contacted him offering to provide information on the Soviet émigré community. She told him, he testified, that she was "a major in the K.G.B." and that the Soviet Government would pay him "a lot of money" for information.

He testified that he was acting out "a James Bond kind of fantasy," and that the sexual entanglement "just sort of came with the territory."

He Was Dismissed First

Mr. Miller was dismissed shortly before he was arrested, on the strength of evidence gathered by F.B.I. investigators.

The Government asserted that Mr. Miller, motivated by the sexual relationship and a promise of \$65,000, had made plans with the Ogorodnikovs, described as low-level operatives of the K.G.B., to pass secret documents to the Soviet Union.

The F.B.I. said that Mr. Miller had acknowledged passing to Mrs. Ogorodnikov a 24-page secret document, "Reporting Guidance: Foreign Intelligence Information." Officials of the bureau described the document as providing to Soviet intelligence "a detailed picture of F.B.I. and U.S. intelligence activities, techniques and requirements."